

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

QUORDALIS SANDERS,

Plaintiff,

v.

ORDER

15-cv-808-wmc

WISCONSIN DEPARTMENT OF
CORRECTIONS SEX OFFENDER
REGISTRY PROGRAM, and
KATIE MEARS,

Defendants.

Pro se plaintiff Quordalis Sanders is a state inmate incarcerated by the Wisconsin Department of Corrections at the Waupun Correctional Institution (“WCI”). Sanders filed this proposed civil action pursuant to 42 U.S.C. § 1983, alleging that he has been illegally convicted of two counts of second degree sexual assault and complaining that he must wear a global positioning system (“GPS”) for the rest of his life. However, the court denied him leave to proceed due to the “three-strikes rule” found at 28 U.S.C. § 1915(g), of the Prison Litigation Reform Act (“PLRA”), which provides that a prisoner is not allowed to bring a civil action *in forma pauperis* in federal court if, while imprisoned, three or more of his civil actions or appeals have been dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted. (June 21, 2017, Order, dkt. #4.) In denying him leave to proceed, the court pointed out that while imprisoned, Sanders has filed at least three previous civil actions that were dismissed as frivolous or for failure to state a claim. As such, the court concluded that Sanders cannot proceed *in forma pauperis* because of his “three-strike” status and his allegations did not fall under the exception to

the rule, which permits a plaintiff in Sanders' position to proceed upon a showing that he is in imminent danger of serious physical injury. *See* 28 U.S.C. § 1915(g). Sanders seeks reconsideration of that order (dkt. #5), which the court is denying.

In his motion, Sanders claims that the court abused its discretion in denying him leave to proceed *in forma pauperis*. However, Sanders fails to allege facts suggesting that he currently is in imminent danger. Instead, he claims that his criminal charges from 2016 arising from his failure to register as a sex offender violate his "constitutional rights," with no specific allegations suggesting that those violations relate to a current risk of serious physical harm. For that reason, I am denying the motion. Accordingly, Sanders may not proceed with this action without prepayment of the full \$400 filing fee under § 1915(g).

ORDER

IT IS ORDERED that Quordalis Sanders' motion for reconsideration (dkt. #5) is DENIED. To proceed with his claims, Sanders must submit the full filing fee of \$400 by **November 3, 2017**. If he fails to comply as directed within the time allowed, this case will be dismissed without further notice pursuant to Fed. R. Civ. P. 41(b).

Entered this 4th day of October, 2017.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge